

09/748,562

MS158300.01/MSFTP154US

**REMARKS**

Claims 1-29 are currently pending in the subject application and are presently under consideration. A version of all pending claims is found at pages 2-6. Claims 10-11, 19-20 and 26-27 have been cancelled, and claims 1, 12-15, 17, 21, 23 and 28 have been amended herein. Applicants' representative notes with appreciation the indication that claim 11 has been deemed allowable, and that independent claim 1 would be in condition for allowance if the limitations of the allowable claim were incorporated therein. To this end, independent claim 1 has been amended to comport with the Examiner's indication, and it is now believed that independent claim 1 and associated dependent claims are in condition for allowance. Furthermore, Applicants' representative respectfully requests rejoinder of the non-elected method claims pursuant to MPEP §821.04 and 37 C.F.R. §1.121. In view of the following amendments and comments, the method claims 17-25 now recite "all limitations of the allowed patentable product" and meet the requirements of 35 U.S.C. §§101, 102, 103 and 112. To this end, rejoinder of method claims 17-25 is respectfully requested. In addition, claim 28 has been amended herein to incorporate all structural limitations recited in the allowed device/system claims and thus is also believed to be in condition for allowance. Favorable consideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

**I. Rejection of Claims 1-2 Under 35 U.S.C. §102(e)**

Claims 1-2 stand rejected under 35 U.S.C. §102(e) as being anticipated by Klassen *et al.* (US 6,525,741). Withdrawal of this rejection is respectfully requested in view of the amendments, incorporating the allowable subject matter indicated by the Examiner, to independent claim 1.

**II. Rejection of Claim 3 Under 35 U.S.C. §103(a)**

Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Klassen *et al.* (US 6,525,741) in view of the paper "INTELLIGENT SCISSORS FOR IMAGE COMPOSITION" to Mortensen *et al.* Reversal of this rejection is respectfully requested in view of the amendments, incorporating the allowable subject matter

09/748,562

MS158300.01/MSFTP154US

indicated by the Examiner, to independent claim 1 from which claim 3 depends.

**III. Rejection of Claims 4-9 Under 35 U.S.C. §103(a)**

Claims 4-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Klassen *et al.* (US 6,525,741) in view of Schindler (US 5,630,037). This rejection should be withdrawn in view of the amendments, incorporating the allowable subject matter indicated by the Examiner, to independent claim 1 from which claims 4-9 depend.

**IV. Rejection of Claim 10 Under 35 U.S.C. §103(a)**

Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Klassen *et al.* (US 6,525,741) in view of Moler (US 5,143,592). Reversal of this rejection is respectfully requested in view of the amendments, incorporating the allowable subject matter indicated by the Examiner, to independent claim 1 from which claim 10 depends.

09/748,562

MS158300.01/MSFTP154US

CONCLUSION

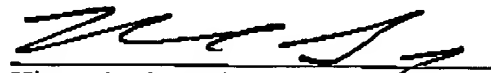
The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin

Reg. No. 40,894

AMIN & TUROCY, LLP  
24<sup>TH</sup> Floor, National City Center  
1900 E. 9<sup>TH</sup> Street  
Cleveland, Ohio 44114  
Telephone (216) 696-8730  
Facsimile (216) 696-8731